

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EUGENE AND DAYMEL SHKLAR
FOUNDATION,

Plaintiff,

v.

IAN SIMMONS,

Defendant.

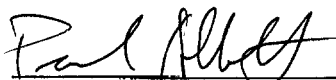
C.A. No. 04-CV-11529-JLT

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 16.1(D)(3) BY
PLAINTIFF EUGENE AND DAYMEL SHKLAR FOUNDATION AND ITS COUNSEL


In accordance with Local Rule 16.1(D)(3), the undersigned counsel for plaintiff Eugene and Daymel Shklar Foundation (the "Foundation") and the undersigned representative of the Foundation certify that they have conferred:

a) with a view to establishing a budget for the costs of conducting the full course - and various alternative courses - of the litigation; and

b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.



Paul D. Wilson (BBO # 529950)
Paul D. Abbott (BBO # 652233)
Mintz, Levin, Cohn, Ferris,
Cohn, Glovsky and Popeo, P.C.
One Financial Center
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Eugene Shklar
The Eugene & Daymel Shklar Foundation
70 Geoffroy Drive
Santa Cruz, CA 95062

Dated: December 1, 2004

Dated: December 1, 2004